THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.19437 of 2006

DATED 25.09.2006

Between:
T.Srisailam Yadav and 20 others. .. PETITIONERS

versus

The Gram Panchayat, Boduppal Village, Ghatkesar Mandal, Ranga Reddy District, represented by its Panchayat Secretary and another. .. RESPONDENTS

WRIT PETITION NO.19437 of 2006

ORDER:

Heard both the learned counsel.

2. On 20.9.2006 Sri Prem Sagar had taken notice and requested time to get instructions. Sri Prem Sagar states that if betterment charges and development charges are paid by the petitioners, the Gram Panchayat has no objection to approve the plans and grant permission as requested by the petitioners. The learned counsel for the petitioners, however, would contend that the petitioners are prepared to pay the betterment charges and development charges so far as they relate to the plinth area of the construction and the land, as assessed by the Gram Panchayat. The respective contentions are hereby recorded.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents in preventing the petitioners from proceeding with the construction of house in plot bearing No.75, admeasuring 875 sq.yards of the 1st petitioner, plot No.29 admeasuring 180 sq.yards of the 2nd petitioner, plot No.209 admeasuring 272 sq.yards of the 3rd

petitioner, plot No.195 admeasuring 169 sq.yards of the 4th petitioner, plot No.44 admeasuring 441 sq.yards of the 5th petitioner, plot Nos.42 and 43 admeasuring 334 sq.yards of the 6th petitioner, plot No.158 part and 159 part admeasuring 167 sq.yards of the 7th petitioner, plot No.215, admeasuring 16 sq.yards of the 8th petitioner, plot No.217 admeasuring 168 sq.yards of the 9th petitioner, plot No.51 admeasuring 167 sq.yards of the 10th petitioner, plot No.163 admeasuring 405 sq.yards of the 11th petitioner, plot No.66 admeasuring 206 sq.yards of the 12th petitioner, plot Nos.19, 20 and 4 admeasuring 539 sq.yards of the 13th petitioner, plot Nos.8,9,10,13,14 and 15 admeasuring 978 sq.yards of the 14th petitioner, plot Nos.5,6,7,16,17 and 18 admeasuring 978 sq.yards of the 15th petitioner, plot Nos.11 and 12 admeasuring 831 sq.yards of the 16th petitioner, plot Nos.206 and 207 part admeasuring 278 sq.yards of the 17th petitioner, plot No.207 part and 208 admeasuring 278 sq.yards of the 18th petitioner, plot Nos.199 and 200 part admeasuring 300 sq.yards of the 19th petitioner and plot Nos.232, 233 and 234 admeasuring 450 sq. yards and plot No.162 admeasuring 447 sq.yards of the 21st petitioner respectively, covered by S.Nos.27 to 36, 37 part, 38 and 39 situated at Boduppal village, Ghatkesar Mandal, Ranga Reddy District, and also the action of the respondents in seeking to demolish the structures already carried on by the petitioners in their respective house sites stated supra as illegal, arbitrary and pass such other suitable orders.

4. In view of the respective stands taken by the learned counsel on record, the Writ Petition is disposed of directing the respondents to approve the necessary plans and the permissions on condition of the petitioners satisfying the payment of the betterment charges and

development charges as referred to supra within a period of four (04) weeks from the date of payment. Till such exercise relating to the fixation of the amounts by Gram Panchayat is done, status quo obtaining as on today to be maintained. No costs.

25.09.2006

SSR